

RECEIVED TOWN CLERK
GRAFTON, MA

2019 NOV -7 AM 10:11



TURNING POINT
ENGINEERING
CIVIL SITE DESIGN

November 5, 2019

Mr. William McCusker, Chairman
Grafton Zoning Board of Appeals
Grafton Municipal Center
30 Providence Road
Grafton, MA 01519

RECEIVED
NOV 07 2019
Zoning Board of Appeals

Re: Request for Insubstantial Modification
"Elmrock Estates" Comprehensive Permit
TPE Project No.: 1015

Dear Board Members:

On behalf of Wheelrock, LLC ("Wheelrock"), please accept this letter as a formal request that the Grafton Zoning Board of Appeals find that the proposed modifications to the approved plan as described below and illustrated on the enclosed plan are "insubstantial" pursuant to Condition J.1 of the Comprehensive Permit and 760 CMR 56.05(11).

Pursuant to Condition D.4 of the Comprehensive Permit, Wheelrock, through their attorney, has been working with Grafton Land Trust ("GLT") regarding the transfer of the Open Space Area at the southerly end of the project site. GLT has elected to accept the land in fee from Wheelrock in lieu of solely holding the Use Restriction on the land. Additionally, GLT has informed Wheelrock that they would prefer not to hold an Exclusive Use Easement over portions of Lots 15, 16, and 17. Therefore, since GLT's preference is to have the land conveyed in fee to them, the property lines for lots 15, 16, and 17 need to be revised to create the standalone Open Space parcel that can be deeded to GLT. As a result of the reconfiguration of the property lines and the removal of the Exclusive Use Easement, the Open Space Area (Parcel "A") will be 4.11± acres. Although this is a slight reduction in the total area that would have had a Use Restriction and an Exclusive Use Easement, GLT supports this proposal as is evident in their enclosed letter of support.

Kindly place this matter on the next available meeting of the Zoning Board of Appeals at which time we shall be present to answer questions and discuss any further details pertaining to this request. Should you have any questions or require additional information prior to the meeting, please contact us.

Sincerely,
TURNING POINT ENGINEERING



Stephen J. O'Connell
Project Manager

Enclosure(s)

C: Grafton Town Clerk
Chad Boardman - Wheelrock, LLC
Cathy Netburn, Esquire - D'Agostine, Levine, Parra, & Netburn

H:\1015-Grafton-Wheeler\doc\permitting\zoning board\Modification_11-5-19\request for modification_11-5-19.doc





Grafton Land Trust, Inc.

October 30, 2019

Zoning Board of Appeals
Grafton Memorial Municipal Center
30 Providence Road
Grafton, MA 01519

RECEIVED

NOV 05 2019

Zoning Board of Appeals

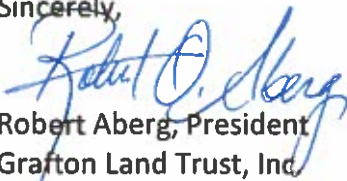
Re: Support for Modification of Open Space at Elmrock Estates

Dear Zoning Board of Appeals,

Pursuant to Condition D.4 of the Comprehensive Permit for Elmrock Estates at 23 Wheeler Rd, Grafton Land Trust (GLT) has been working with the developer and their counsel regarding the transfer of the Open Space Area at the south end of the project site. GLT prefers and has elected to accept the land in fee from the developer in lieu of solely holding the Use Restriction on the land. Additionally, GLT would prefer not to hold an Exclusive Use Easement over portions of Building Lots 15, 16, and 17, therefore, since our preference is to have the land conveyed to us, the property lines for lots 15, 16, and 17 need to be revised to create the standalone Open Space parcel that can be transferred to GLT.

As a result of the reconfiguration of the property lines and the removal of the Exclusive Use Easement, the Open Space Area will be 4.11± acres. This is a slight reduction in the total area that would have had a Use Restriction and an Exclusive Use Easement. GLT supports this proposal as it offers increased public benefit via simplified trail system management and is consistent with our wishes for the handling of this land in the context of the pre-existing GLT parcels, including the option of a neighborhood access point to the GLT trail network by connecting up to the access path between Lots 11 and 12.

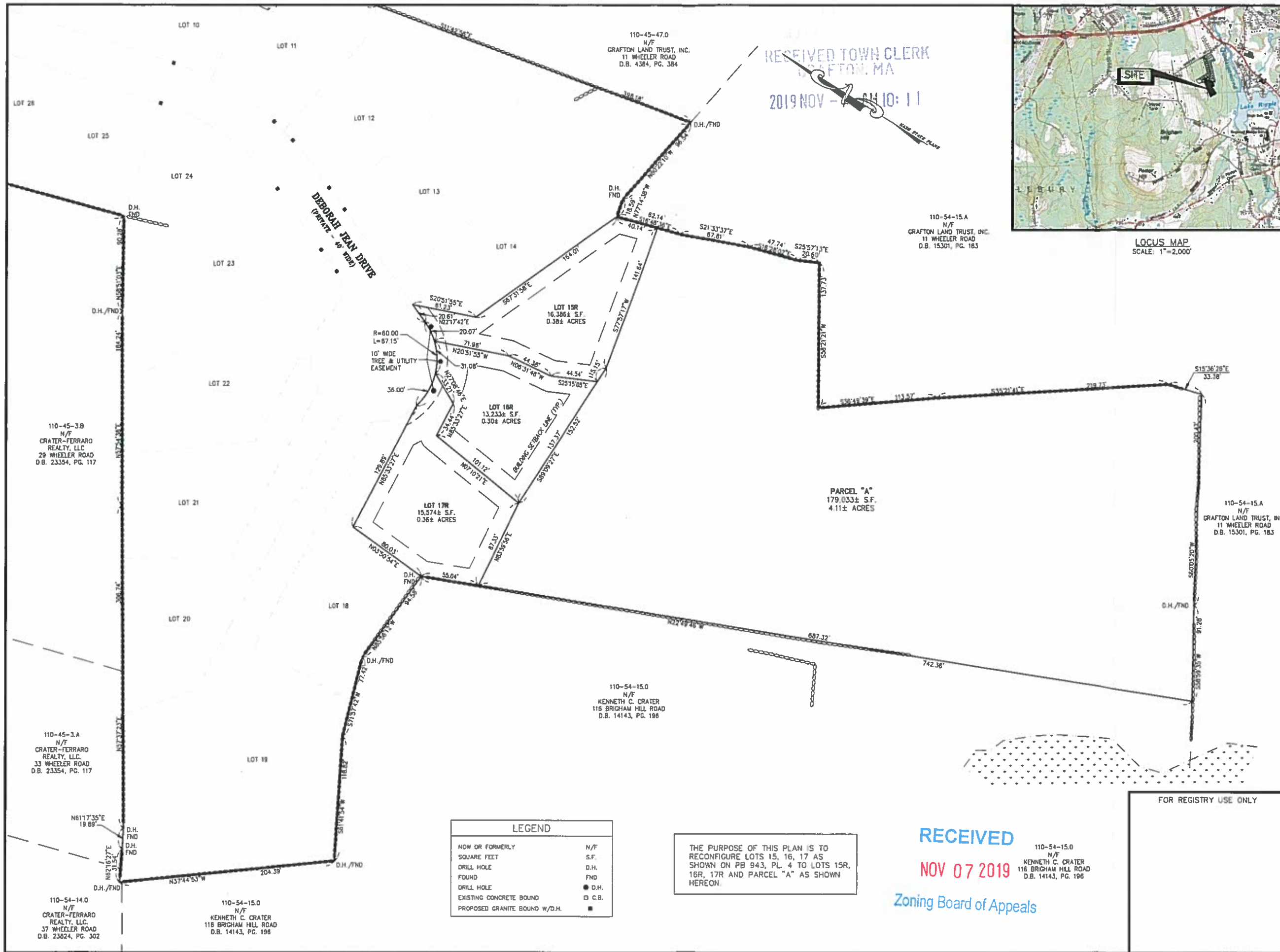
Sincerely,


Robert Aberg, President
Grafton Land Trust, Inc.

RECEIVED TOWN CLERK
GRAFTON, MA
2019 NOV -5 AM 8:33

Preserving Grafton's Open Space

PO Box 114, Grafton, MA 01519 • www.graftonland.org



TURNING POINT ENGINEERING
CIVIL & SURVEY DESIGN

4 Charlesview Road, Suite 4
Hopedale, MA 01747
P: (508) 847-1819 F: (508) 847-0180
www.turningpointdesign.com

OWNER OF RECORD:
WHEELROCK, LLC
4 CHARLESVIEW ROAD, SUITE 1
HOPEDALE, MA 01747

GRAFTON ASSESSORS INFORMATION:
MAP 45, PARCEL 22
MAP 54, PARCEL 17
TOTAL AREA: 18.0± ACRES

GRAFTON ZONING INFORMATION:
ZONE: R-40
MINIMUM AREA: 40,000 S.F.
MINIMUM FRONTAGE: 140'
SETBACKS: FRONT 30', SIDE 15', REAR 15'

DEED REFERENCES:
BK. 24455, PG. 285
BK. 39839, PG. 141
BK. 60520, PG. 236

PLAN REFERENCES:
P.B. 177, PL. 27
P.B. 833, PL. 13
P.B. 763, PL. 106
P.B. 829, PL. 47
P.B. 862, PL. 50
P.B. 943, PL. 4

A COMPREHENSIVE PERMIT WAS GRANTED BY THE GRAFTON ZONING BOARD OF APPEALS AND RECORDED WITH THE TOWN CLERK ON OCTOBER 27, 2017 AND RECORDED IN THE WORCESTER DISTRICT REGISTRY OF DEEDS IN BOOK 60273, PAGE 228.

APPROVAL BY THE TOWN OF GRAFTON ZONING BOARD OF APPEALS ACTING AS PLANNING BOARD IN ITS CAPACITY AS THE COMPREHENSIVE PERMIT GRANTING AUTHORITY UNDER MGL 40B.

CHAIR	DATE

PLAN ENDORSEMENT DOES NOT NECESSARILY MEAN THAT THIS PLAN CONFORMS TO THE CURRENT ZONING REQUIREMENTS.

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF 250 CMR 6.00 INCLUDING, BUT NOT LIMITED TO, THE EXISTING BOUNDARY WITH REFERENCE TO AT LEAST TWO PERMANENT BOUNDARY MONUMENTS ON OR OFF THE LAND TO WHICH THE PLAN RELATES.

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

GRAPHIC SCALE
0 20 40 80
(IN FEET)
1 inch = 40 feet

CAD FILE	2019-1015_ANR.dwg
DRAWN BY	PL
CHECKED BY	SO
DATE	OCTOBER 30, 2019
PROJECT NO.	TPE-1015
PLAN NO.	L-1015

TITLE

**RE-DIVISION OF LAND
OF
LOTS 15R, 16R, 17R &
PARCEL A
ON
DEBORAH JEAN DRIVE
IN
GRAFTON, MA
OWNED BY
WHEELROCK, LLC**

RECEIVED
NOV 07 2019
Zoning Board of Appeals

110-54-15.0
N/F
KENNETH C. CRATER
116 BRIGHAM HILL ROAD
D.B. 14143, PG. 196